

**UNITED STATES DISTRICT COURT  
DISTRICT OF OREGON**

**ALEXANDER L. YUFA,**

Plaintiff,

Civ. 08-3016-CL

v.

**ORDER**

**MET ONE INSTRUMENTS, INC.,  
et al.,**

Defendants.

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CLARKE, Magistrate Judge.

Defendants' motion to stay #9 is granted. Defendants shall file a status report with the court on September 2, 2008 regarding the status of the reexamination proceedings. All remaining court set case deadlines are stricken.

The deadline for service of the summons and complaint set by Federal Rules of Civil Procedure Rule 4(m) remains in effect. Rule 4(m) allows for 120 days of service of the summons and complaint on defendants. The complaint was filed on 2/21/2008. Therefore, this deadline will expire on 6/20/2008. Defendants' motion to dismiss (#6) for failure to properly serve defendants is denied with leave to re-file if plaintiff fails to properly serve the defendants as required by Federal Rules of Civil Procedure Rule 4(e) and 4(h)(1) by 6/20/2008.

Defendants' motions to dismiss for failure to state a claim and motion to make more definite and certain (#6) are denied with leave to re-file, if necessary, after the patent reexamination proceeding concludes.

Dated this 2 day of April, 2008.



Honorable Mark D. Clarke  
Magistrate Judge